

**MINUTES OF THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

ENOCH ADAMS JR., et al.

v. *TECK COMINCO ALASKA INC.*

THE HONORABLE JOHN W. SEDWICK

CASE NO. 3:04-cv-00049-JWS

PROCEEDINGS: **ORDER FROM CHAMBERS** Date: May 9, 2008

At the final pre-trial conference today, the parties identified a disagreement over what transpired at the exhibit review session. The court indicated that if the dispute were not worked out, then papers needed to be filed by Monday, May 12, 2008, indicating what was in dispute and naming the witnesses who would be called to give testimony. The court also indicated that another judge would be found who could hold a hearing to resolve the matter on or before Friday, May 16, 2008.

This is to advise that if the matter is not resolved by the parties' agreement, the dispute will be heard by Hon. Timothy M. Burgess, who will set on an evidentiary hearing sometime during the week of May 12, 2008, after he reviews the papers filed on Monday.

The parties are also advised that the arrangements necessary to give them access to Courtroom 3 beginning at 8:00 AM each week-day commencing on Wednesday, May 14, 2008, and continuing until the Liability Phase has concluded have been made with the Clerk of Court. A member of the Clerk's staff should be at the courtroom door at 8:00 AM each day to allow counsel into the courtroom. Further, arrangements have been made so that there will be space in the first row of the jury box for "overflow" of exhibits which cannot be placed on the floor or on shelves provided by counsel behind the counsel tables. If counsel will not need access to Courtroom 3 on Thursday, May 15, or Friday May 16, you must notify the Clerk of Court so that a staff member is not dispatched to unlock the courtroom door on a day when access is not needed.
